

SENATE BILL NO. 152

INTRODUCED BY FRANKLIN, S. RICE, SIMON,
GROSFIELD, CHRISTIAENS, BLAYLOCK,
SQUIRES, RYE, STRIZICH, KADAS

IN THE SENATE

JANUARY 14, 1993 INTRODUCED AND REFERRED TO COMMITTEE
ON PUBLIC HEALTH, WELFARE, & SAFETY.

 FIRST READING.

JANUARY 22, 1993 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

JANUARY 23, 1993 PRINTING REPORT.

 SECOND READING, DO PASS.

JANUARY 25, 1993 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 50; NOES, 0.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 26, 1993 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

 FIRST READING.

FEBRUARY 11, 1993 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 2, 1993 SECOND READING, CONCURRED IN.

MARCH 5, 1993 THIRD READING, CONCURRED IN.
AYES, 90; NOES, 7.

 RETURNED TO SENATE.

IN THE SENATE

MARCH 8, 1993 RECEIVED FROM HOUSE.

 SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. 152
 2 INTRODUCED BY *Franklin D. Jones*
 3 *Goshfield* *Christina* *Byrd* *James* *Byrd*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE
 5 SCOPE OF THE PRACTICE OF SPEECH PATHOLOGY INCLUDES ORAL
 6 MOTOR TRAINING, COGNITIVE RETRAINING, AND DYSPHAGIA THERAPY;
 7 AND AMENDING SECTION 37-15-102, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 37-15-102, MCA, is amended to read:

11 "37-15-102. Definitions. As used in this chapter, the
 12 following definitions apply:

13 (1) "ASHA" means the American speech-language and
 14 hearing association.

15 (2) "Association" means the Montana speech-language and
 16 hearing association.

17 (3) "Audiologist" means a person who practices
 18 audiology and who meets the qualifications set forth in this
 19 chapter. A person represents ~~himself-to-be-an-audiologist~~
 20 ~~when-he-presents-himself~~ to the public that the person is an
 21 audiologist by incorporating in any title or description of
 22 services or functions that he the person directly or
 23 indirectly performs ~~incorporating~~ the words "audiologist",
 24 "audiology", "audiometrist", "audiometry", "audiological",
 25 "audiometrics", "hearing clinician", "hearing clinic",

1 "hearing therapist", "hearing therapy", "hearing center",
 2 "hearing aid audiologist", or any similar title or
 3 description of services.

4 (4) "Audiology aide" means any person meeting the
 5 minimum requirements established by the board of
 6 speech-language pathologists and audiologists who works
 7 directly under the supervision of a licensed audiologist.

8 (5) "Board" means the board of speech-language
 9 pathologists and audiologists provided for in 2-15-1849.

10 (6) "Department" means the department of commerce
 11 provided for in Title 2, chapter 15, part 18.

12 (7) "Practice of audiology" means rendering or offering
 13 to render a service in audiology to individuals or groups of
 14 individuals who have or are suspected of having hearing
 15 disorders. These services include:

16 (a) prevention, identification, measurement, testing,
 17 evaluation, prediction, consultation, habilitation,
 18 rehabilitation, instruction, and research;

19 (b) participating in hearing conservation and hearing
 20 aid and assistive listening device evaluation, prescription,
 21 preparation, dispensing, and orientation;

22 (c) fabricating ear molds;

23 (d) providing auditory training and speech reading;

24 (e) conducting tests of vestibular function;

25 (f) evaluating tinnitus;

1 (g) planning, directing, conducting, or supervising
2 programs that render or offer to render a service in
3 audiology; and

4 (h) speech or language screening, limited to a
5 pass/fail determination.

6 (8) "Practice of speech-language pathology" means
7 rendering or offering to render a service in speech-language
8 pathology to individuals or groups of individuals who have
9 or are suspected of having communication disorders. These
10 services include:

11 (a) prevention, identification, measurement, testing,
12 evaluation, prediction, consultation, habilitation, and
13 rehabilitation;

14 (b) determining the need for augmentative communication
15 systems and providing training in the use of these systems;

16 (c) planning, directing, conducting, or supervising
17 programs that render or offer to render a service in
18 speech-language pathology;

19 (d) nondiagnostic pure-tone air conduction,
20 tympanometry, and acoustic reflex screening, limited to a
21 pass/fail determination; and

22 (e) aural rehabilitation, which includes services and
23 procedures for facilitating adequate receptive and
24 expressive communication in individuals with hearing
25 impairment;

1 (f) oral motor rehabilitation, which includes services
2 and procedures for evaluating and facilitating face, lip,
3 and tongue mobility and control;

4 (g) cognitive retraining, which includes services and
5 procedures for evaluating and facilitating memory,
6 attention, reasoning, processing, judgment, and other
7 related areas in individuals with language impairment
8 resulting from head injury, stroke, or other insult; and

9 (h) dysphagia therapy, which includes services and
10 procedures for evaluating and facilitating swallowing and
11 feeding in those individuals with swallowing disorders.

12 (9) "Speech-language pathologist" means a person who
13 practices speech-language pathology and who meets the
14 qualifications set forth in this chapter. A person
15 represents himself-to-be-a-speech-language-pathologist-when
16 he-presents-himself to the public that the person is a
17 speech-language pathologist by incorporating in any title or
18 description of services or functions that he the person
19 directly or indirectly performs incorporating the words
20 "speech pathologist", "speech pathology", "speech
21 correctionist", "speech corrections", "speech therapist",
22 "speech therapy", "speech clinician", "speech clinic",
23 "language pathologist", "language pathology", "voice
24 therapist", "voice therapy", "voice pathologist", "voice
25 pathology", "logopedist", "logopedics", "communicologist",

1 "communicology", "aphasiologist", "aphasiology",
2 "phoniatrist", "language therapist", "language clinician",
3 or any similar title or description of services or
4 functions.

5 (10) "Speech-language pathology aide" means any a person
6 meeting the minimum requirements established by the board of
7 ~~speech-language--pathologists--and--audiologists~~ who works
8 directly under the supervision of a licensed speech-language
9 pathologist.

10 (11) "Unethical conduct" means:

11 (a) the obtaining of any a fee by fraud or
12 misrepresentation;

13 (b) employing, directly or indirectly, any suspended or
14 unlicensed person to perform any work covered by this
15 chapter unless that person assumes the legal status of a
16 supervised aide; or

17 (c) using or causing or promoting the use of any
18 advertising matter, promotional literature, testimonial,
19 guarantee, warranty, label, brand, insignia, or any other
20 representation, however disseminated or published, which is
21 misleading, deceiving, improbable, or untruthful."

-End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

1 *Senate* BILL NO. 152
2 INTRODUCED BY *Franklin D. Jones*
3 *Goshfield* *Montana* *Legislature* *6/2*
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5 SCOPE OF THE PRACTICE OF SPEECH PATHOLOGY INCLUDES ORAL
6 MOTOR TRAINING, COGNITIVE RETRAINING, AND DYSPHAGIA THERAPY;
7 AND AMENDING SECTION 37-15-102, MCA."

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16 hearing association.

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18 audiology and who meets the qualifications set forth in this
19 chapter. A person represents himself-to-be-an-audiologist
20 when-he-presents-himself to the public that the person is an
21 audiologist by incorporating in any title or description of
22 services or functions that he the person directly or
23 indirectly performs incorporating the words "audiologist",
24 "audiology", "audiometrist", "audiometry", "audiological",
25 "audiometrics", "hearing clinician", "hearing clinic",

1 "hearing therapist", "hearing therapy", "hearing center",
2 "hearing aid audiologist", or any similar title or
3 description of services.

4 (4) "Audiology aide" means any person meeting the
5 minimum requirements established by the board of
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7 directly under the supervision of a licensed audiologist.

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10 (6) "Department" means the department of commerce
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12 (7) "Practice of audiology" means rendering or offering
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16 (a) prevention, identification, measurement, testing,
17 evaluation, prediction, consultation, habilitation,
18 rehabilitation, instruction, and research;

19 (b) participating in hearing conservation and hearing
20 aid and assistive listening device evaluation, prescription,
21 preparation, dispensing, and orientation;

22 (c) fabricating ear molds;

23 (d) providing auditory training and speech reading;

24 (e) conducting tests of vestibular function;

25 (f) evaluating tinnitus;

1 (g) planning, directing, conducting, or supervising
2 programs that render or offer to render a service in
3 audiology; and

4 (h) speech or language screening, limited to a
5 pass/fail determination.

6 (8) "Practice of speech-language pathology" means
7 rendering or offering to render a service in speech-language
8 pathology to individuals or groups of individuals who have
9 or are suspected of having communication disorders. These
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11 (a) prevention, identification, measurement, testing,
12 evaluation, prediction, consultation, habilitation, and
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15 systems and providing training in the use of these systems;

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17 programs that render or offer to render a service in
18 speech-language pathology;

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20 tympanometry, and acoustic reflex screening, limited to a
21 pass/fail determination; and

22 (e) aural rehabilitation, which includes services and
23 procedures for facilitating adequate receptive and
24 expressive communication in individuals with hearing
25 impairment;

1 (f) oral motor rehabilitation, which includes services
2 and procedures for evaluating and facilitating face, lip,
3 and tongue mobility and control;

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5 procedures for evaluating and facilitating memory,
6 attention, reasoning, processing, judgment, and other
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21 correctionist", "speech corrections", "speech therapist",
22 "speech therapy", "speech clinician", "speech clinic",
23 "language pathologist", "language pathology", "voice
24 therapist", "voice therapy", "voice pathologist", "voice
25 pathology", "logopedist", "logopedics", "communicologist",

1 "communicology", "aphasiologist", "aphasiology",
2 "phoniatriest", "language therapist", "language clinician",
3 or any similar title or description of services or
4 functions.

5 (10) "Speech-language pathology aide" means any a person
6 meeting the minimum requirements established by the board of
7 ~~speech-language--pathologists--and--audiologists~~ who works
8 directly under the supervision of a licensed speech-language
9 pathologist.

10 (11) "Unethical conduct" means:

11 (a) the obtaining of any a fee by fraud or
12 misrepresentation;

13 (b) employing, directly or indirectly, any suspended or
14 unlicensed person to perform any work covered by this
15 chapter unless that person assumes the legal status of a
16 supervised aide; or

17 (c) using or causing or promoting the use of any
18 advertising matter, promotional literature, testimonial,
19 guarantee, warranty, label, brand, insignia, or any other
20 representation, however disseminated or published, which is
21 misleading, deceiving, improbable, or untruthful."

-End-

1 *Senate* BILL NO. 152
 2 INTRODUCED BY *Franklin*
 3 *Goshell* *Murphy* *Keel*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE
 5 SCOPE OF THE PRACTICE OF SPEECH PATHOLOGY INCLUDES ORAL
 6 MOTOR TRAINING, COGNITIVE RETRAINING, AND DYSPHAGIA THERAPY;
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17 (3) "Audiologist" means a person who practices
 18 audiology and who meets the qualifications set forth in this
 19 chapter. A person represents himself-to-be-an-audiologist
 20 when-he-presents-himself to the public that the person is an
 21 audiologist by incorporating in any title or description of
 22 services or functions that he the person directly or
 23 indirectly performs incorporating the words "audiologist",
 24 "audiology", "audiometrist", "audiometry", "audiological",
 25 "audiometrics", "hearing clinician", "hearing clinic",

1 "hearing therapist", "hearing therapy", "hearing center",
 2 "hearing aid audiologist", or any similar title or
 3 description of services.

4 (4) "Audiology aide" means any person meeting the
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 6 speech-language pathologists and audiologists who works
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 20 aid and assistive listening device evaluation, prescription,
 21 preparation, dispensing, and orientation;

22 (c) fabricating ear molds;

23 (d) providing auditory training and speech reading;

24 (e) conducting tests of vestibular function;

25 (f) evaluating tinnitus;

(g) planning, directing, conducting, or supervising programs that render or offer to render a service in audiology; and

(h) speech or language screening, limited to a pass/fail determination.

(8) "Practice of speech-language pathology" means rendering or offering to render a service in speech-language pathology to individuals or groups of individuals who have or are suspected of having communication disorders. These services include:

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(e) aural rehabilitation, which includes services and procedures for facilitating adequate receptive and expressive communication in individuals with hearing impairment;

(f) oral motor rehabilitation, which includes services and procedures for evaluating and facilitating face, lip, and tongue mobility and control;

(g) cognitive retraining, which includes services and procedures for evaluating and facilitating memory, attention, reasoning, processing, judgment, and other related areas in individuals with language impairment resulting from head injury, stroke, or other insult; and

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(9) "Speech-language pathologist" means a person who practices speech-language pathology and who meets the qualifications set forth in this chapter. A person represents himself-to-be-a-speech-language-pathologist-when he-presents-himself to the public that the person is a speech-language pathologist by incorporating in any title or description of services or functions that he the person directly or indirectly performs incorporating the words "speech pathologist", "speech pathology", "speech correctionist", "speech corrections", "speech therapist", "speech therapy", "speech clinician", "speech clinic", "language pathologist", "language pathology", "voice therapist", "voice therapy", "voice pathologist", "voice pathology", "logopedist", "logopedics", "communicologist",

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15 chapter unless that person assumes the legal status of a
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17 (c) using or causing or promoting the use of any
18 advertising matter, promotional literature, testimonial,
19 guarantee, warranty, label, brand, insignia, or any other
20 representation, however disseminated or published, which is
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-End-

SENATE BILL NO. 152

INTRODUCED BY FRANKLIN, S. RICE, SIMON,
GROSFIELD, CHRISTIAENS, BLAYLOCK,
SQUIRES, RYE, STRIZICH, KADAS

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(4) "Audiology aide" means any person meeting the
minimum requirements established by the board of
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(5) "Board" means the board of speech-language
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 25 procedures for facilitating adequate receptive and

1 expressive communication in individuals with hearing
 2 impairment;
 3 (f) oral motor rehabilitation, which includes services
 4 and procedures for evaluating and facilitating face, lip,
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-End-